



TFW Gp1631

PATENT
7379M

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment; Commissioner for Patents, P.O. Box 1450; Alexandria, VA 22313-1450 on November 9, 2005.

Bernie S. Dell

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Keough et al.

Serial No.: 09/889,053

Group Art Unit: 1631

Filed: March 31, 2003

Examiner: Pablo S. Whaley

For: **Methods and Kits for Sequencing Polypeptides**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Response to Official Action in the above identified application.

- [X] No additional fee is required.
[X] Also attached: Return Postcard

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUS PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	10	10	0	x \$50=	\$00.00
Independent Claims	1	1	0	x \$200 =	\$00.00
TOTAL FEE DUE					\$00.00

- [X] The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment, to Deposit Account No. 04-1133, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

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Bonnie J. Dell

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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Serial No.: 09/889,053

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Examiner: Pablo S. Whaley

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RESPONSE TO OFFICIAL ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the Official Action dated August 18, 2005, the Examiner required restriction under 35 U.S.C. §121 between claims 1-7 drawn to a method of determining the amino acid sequence of a polypeptide comprising a specified polypeptide derivatization technique, mass spectrometric fragmentation analysis, and fragmentation pattern analysis and claims 8-10 drawn to a kit for use in determining the amino acid sequence of a polypeptide comprising specified acid moiety reagents, and a means for polypeptide derivatization.

Applicants elect the invention of claims 1-7 with traverse. This restriction requirement is traversed on the basis that it would not be unduly burdensome for the Examiner to examine the subject matter of claims 8-10 with that of elected claims 1-7, particularly as claims 1-7 and 8-10 are both indicated as classified in the same class and subclass. Accordingly, reconsideration of the restriction requirement is respectfully requested.

The Examiner also required an election of species under 37 C.F.R. §121 among the species of 1A - where the fragmentation analysis technique is MALDI PSD mass spectrometry, 1B - where the

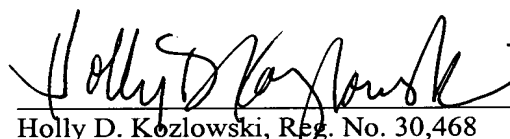
fragmentation analysis technique is electrospray ionization tandem mass spectroscopy, and 1C - where the fragmentation analysis technique is other than MADI PSD or electrospray ionization mass spectroscopy.

Applicants hereby elect the species 1A comprising a method for determining the amino acid sequence of a polypeptide where the fragmentation analysis technique is MALDI PSD mass spectrometry. Claims 1-7 read on this elected species.

It is believed that this represents a complete response to the restriction and election requirements, and examination on the merits is respectfully requested.

Respectfully submitted,

By:



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